GENERAL ORDINANCE NO. \$ 85-70

AN ORDINANCE CREATING A METROPOLITAN HUMAN RELATIONS COMMISSION DEFINING ITS POWERS AND PURPOSES, PROHIBITING DISCRIMINATION IN PUBLIC ACCOMMODATIONS AND HOUSING; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR PENALTIES AND REPEALING SPECIAL ORDINANCE NO. 2593

 $$\operatorname{\mathtt{BE}}$ IT ORDAINED by the Common Council of the City of Fort Wayne, Indiana:

ARTICLE. - PURPOSES

Sec. 1. The Mayor and the Common Council of the City of Fort Wayne, Indiana, find that discrimination in social, cultural and economic life in the City of Fort Wayne against and person or persons because of race, sex, color, religion, ancestry, national origin, or place of birth, is contrary to American principles and is harmful to the social, cultural, and economic life of Fort Wayne; that discrimination, particularly in employment opportunities, public accommodations, and housing, increases the burden and cost of government. That such discrimination contri butes to increased crime, vice, juvenile delinquency, fires and other evils thereby affecting the public safety, the public health, and the general welfare of the community; it is, therefore, deemed to be in the best interests of the City of Fort Wayne to create a metropolitan commission to administer and enforce anti-discrimination legislation and ordinances, all as authorized by the Indiana Civil Rights Act.

ARTICLE II. - DEFINITIONS

- Sec. 1. As used in this Ordinance, unless a different meaning clearly appears from the context,
- (a) The term "discrimination" means any difference in treatment based on race, sex, color, religion, ancestry, national origin, or place of birth, and includes segregation, except that it shall not be discrimination for any religious or denominational institution to devote its facilities exclusively or primarily to or for members of its own religion or denomination, or to give preference to members of such institution to promote the religious principles for which it is established or maintained. The term "discrimination" shall mean the exclusion of a person from or failure or refusal to extend to a person equal opportunities because of race, sex, creed, color, national origin, or ancestry, or the promotion of race segregation or separation, in any manner, including but not limited to the inducing of or the attempting to induce for a profit any person, to sell or rent any dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, religion, or national origin.
- (b) The term "person" includes an association, partnership, or corporation, as well as a natural person. The term "person", as applied to partnerships or other associations, includes their members, and as applied to corporations, includes their officers and directors. The term "person" also includes any individual acting in a fiduciary or representative capacity, whether appointed by a court or otherwise.
- (c) The term "owner" includes the lessee, sub-lessee, assignee or managing agent or other persons having the right of

ownership or possession or the right to sell, rent, or lease any housing accommodation.

- (d) The term "financial institution" means any person as defined herein regularly engaged in the business of lending money or guaranteeing loans.
- (e) The term "real estate broker" means any person as defined herein, who, for a fee or other valuable consideration, sells, purchases, exchanges, or rents or negotiates or offers or attempts to make or negotiate the sale, purchase, exchange or rental of the real property of another, or holds himself out as engaged in the business of selling, purchasing exchanging, or renting the real estate of another, or collects rental for the use of real property of another.
- (f) The term "real estate salesman or agent" means any person employed by a real estate broker to perform or to assist in the performance of any or all of the functions of a real estate broker, except that it shall not include secretarial or clerical employees.
- (g) The term "housing accommodation" means any parcel or parcels of real estate or lots, whether or not contiguous in the City of Fort Wayne available for the building of one or more housing units, owned or otherwise subject to the control of one or more owners, or to any single family dwelling or multiple family dwelling, or portion thereof, which is used or occupied or intended or arranged or designed to be used or occupied as a home, homesite, residence, or sleeping place of one or more human beings located in the City of Fort Wayne.
- (h) The Indiana Civil Rights Act is the Acts of 1961, Chapter 208, as amended by Chapter 173 of the Acts of 1963, Chapter 214 of the Acts of 1965, Chapter 276 of the Acts of 1967, and

Chapter 298 of the Acts of 1969, and any subsequent amendments thereto, deletions or additions thereto now or hereinafter enacted by the General Assembly of the State of Indiana.

(i) The State Commission means the Civil Rights Commission created and existing under the Indiana Civil Rights Act as above defined.

ARTICLE III. - THE COMMISSION

- Sec. 1. To assist in the elimination of discrimination in the City of Fort Wayne, there is hereby created a commission to be known as the Metropolitan Human Relations Commission.
 - Sec. 2. The Commission Shall Consist of Nine Members:
- (a) One to be elected by the Common Council from among its members of the annual meeting for the election of officers of the council; the member who shall be a member of the council, shall be elected annually for a one-year term; provided, that in the year of the enactment of this Ordinance, the council shall, prior to the effective date of this Ordinance, elect one of its members to serve until the next annual meeting of the council, and until his successor is duly elected and qualified.
- (b) The other eight members shall be appointed by the Mayor of the City of Fort Wayne to serve without compensation.
- (c) Of the members to be appointed by the Mayor, two shall be appointed to serve for a term of one year; two shall be appointed to serve for a term of two years; two shall be appointed for a term of three years; and two shall be appointed for a term of four years; provided, that appointments for all terms, after the terms of the original appointment, shall be for a term of four years; provided, further, that no member shall serve more than two consecutive full terms.

Sec. 3. Qualification of Members: All members shall be residents of the City of Fort Wayne. Not more than five members, including the council member, shall be members of the same political party.

Sec. 4. Officers:

- (a) At the first meeting of the Commission, which shall be called by the Mayor, the Commissioners shall elect one of their number to serve as chairman, and shall also elect such other officers as the Commission shall desire from among their members.
- (b) The Commission shall select an executive director who shall also serve as secretary, who shall not be required to meet the qualifications for membership on the Commission, and who shall be compensated for his services, and such other employees as may be authorized.
- (c) Death, disability or resignation of a member. In the event of a death, disability, or resignation of any member, his successor shall be appointed by the one who appointed such member and the newly appointed member shall serve for the unexpired period of the term of the one replaced.
- (d) The Mayor shall have the right to replace any member of the Commission for just cause, except the council rerepresentative. Failure to attend meetings shall be a just cause.
- $$\operatorname{Sec.} 5.$$ Powers and Duties. The Commission shall have the following powers and duties:
- (a) The Commission shall meet monthly and may meet when otherwise necessary to receive and investigate tharges of discriminatory practice; and, if it appears that reasonable grounds exist for the charges, the Commission shall accept a complaint or the director may make a complaint, which complaint shall be in writing and vexified. If a complaint has been made,

the Commission may hold hearings and make an investigation of the complaint, which investigation shall be conducted by the Commission or by the director or his staff.

- (b) In holding the hearings or making investigations, the Commission may officially request the presence of witnesses and may officially request that any records or documents be brought before it for examination. In its hearings, the testimory of any person who appears shall be given under oath. It shall be deemed reasonable grounds for filing an action charging discrimination against anyone who, without just cause, refuses to appear and testify before the Commission or who refuses to make books and records available to the Commission without just cause when officially requested to appear and testify or appear and bring books and records; provided, that the charges against such person are under investigation.
- (c) After the completion of the hearing, the Commission shall state its findings of fact, and if it finds that a person has engaged in unlawful discriminatory practice, it shall attempt a conciliation to cause the end of such practices; or it may order the person charged to cease and desist from such unlawful discriminatory practice, or on failure of conciliation, or if probable cause exists, it may file an action in any court to which jurisdiction has been granted under the Indiana Civil Rights Act. Provided, that no cease and desist order shall be issued following hearing on any complaint filed other than by a person allegedly discriminated against unless such person shall have personally testified at such hearing. Provided further, that the person against whom a cease and desist order is issued may seek a judicial review of such order by petition therefor filed in any court granted jurisdiction of appeals in the Indiana

Civil Rights Act, provided that such petition shall be filed within fifteen (15) days of the issuance of such order.

- (d) Failure to obey any cease and desist order entered by the Commission shall be deemed grounds for proceeding through any court granted jurisdiction under the Indiana Civil Rights Act.
- (e) The Commission shall study, investigate and take action within its jurisdiction in regard to any condition having an adverse effect on intergroup relations, including alleged violations of Federal, State and Local Laws heretofore or hereafter enacted prohibiting discrimination against any person in public accommodations, employment opportunity, or housing accommodations because of race, sex, color, religion, or national origin.
- (f) To institute and conduct educational and other programs to promote the equal rights and opportunities to all persons regardless of their race, sex, color, religion, or national origin.
- (g) To study the problems of the relationship of the various races, sexes, colors, creeds, and nationalities living within the community, and to advise with and assist Departments of the City Government on problems involving said groups living within the City to the end that an effort be made to eliminate prejudice, intolerance, bigotry, and discrimination in the City of Fort Wayne. If charges are made, and there appears to be probable cause therefor, and the charges involve another employee, department or branch of the City Government, then the Commission shall inform the employee, department or branch, in writing, before taking any formal action.
- $\hbox{(h)} \quad \hbox{Annual Report.} \quad \hbox{The Commission shall render an}$ annual report of its doings to the Mayor and to the Common Council

and shall render such other additional reports as the Mayor or the Council may from time to time request. The reports shall describe, in detail, the investigations and conciliation proceedings it has conducted and their outcome, the progress made, and any other work performed and achievements toward the elimination of discrimination.

ARTICLE IV. - PROHIBITED ACTS

- Sec. 1. It shall be unlawful for any person to commit any act of discrimination or engage in any discriminatory practice as herein defined.
- (a) It shall be unlawful for any owner, real estate broker, salesman, or agent to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of a dwelling to any person because of race, color, religion, or national origin; to discriminate against any person in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services, or facilities in connection therewith, because of race, color, religion, or national origin; to represent that any dwelling is not available for inspection, sale or rental, when such dwelling is in fact so available.
- (b) It shall be unlawful for the Commission by any of its agents, or any person, to participate in a transaction for the acquisition or financing of a housing accommodation where the purpose of such is to obtain information upon which a complaint could be filed before the Commission. It shall be prima facie evidence that this provision has been violated when a Commission agent or an unrelated person, other than a licensed real

estate salesman, broker or lender seeks a housing accommodation for one who is physically able to represent himself and a complaint is thereafter filed.

- Sec. 3. Discrimination in Financing of Housing. It shall be unlawful for any person, as herein defined, whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to an applicant therefor, or to discriminate against such applicant in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of the race, sex, color, religion, or national origin of such applicant.
- Sec. 4. Discrimination in Employment. It shall be unlawful to discriminate against any person by excluding from or failing or refusing to extend to a person equal opportunities in securing employment or in advancing within an employing organization after having secured employment because of race, sex, color, religion, or national origin; provided, however, that this section shall not apply to any person as herein defined who employs less than six persons.
- Sec. 5. Discrimination by Labor Organizations. It shall be unlawful for any labor organization to deny full and equal membership rights to any applicant for membership or to fail or refuse to classify properly or refer for employment any member solely because of race, color, religion, or national origin.
- Sec. 6. Discrimination in Public Accommodations. It shall be unlawful for any person or establishment which caters or offers its services or facilities or goods to the general public to discriminate against anyone because of race, sex, color, religion, or national origin.

ARTICLE V. - PENALTIES

Sec. 1. Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be fined in the sum not to exceed Five Hundred Dollars (\$500.00). Each day of violation shall be deemed a separate offense.

Sec. 2. Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

ARTICLE VI. - REPEAL

Special Ordinance No. 2593 of the Ordinances of the
City of Fort Wayne, creating the Mayor's Commission on Human
Relations, is hereby repealed on the effective date of this Act.

ARTICLE VII. - EFFECTIVE DATE

The effective date of this Ordinance shall be July 1, 1970.

Jack & Dunispor

APPROVED AS TO FORM AND LEGALITY,

To say to GITY ATTORNEY

and duly adopted, read the second time by title and referre
to the (Committee on) (and to the City Pla
Commission for recommendation) (and Public Hearing to be held after due legal notice,
at the Council Chambers, City Hall, Fort Wayne, Indiana, on
the day of 196, at o'clock
P.M., E.S.T.
Date:
Read the third time in full and on motion by
seconded by and duly adopted, placed on its passage.
Passed (IDET) by the following vote:
AYES, NAYS, ABSTAINED, ABSENT to-wit:
Adams
Dunifon Fay
Geake /
Nuckols Robinson
Rousseau
Steigerwald /
Date 5-12-70 fuel & Bonahom
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Ammexation)(Spacial)(Appropriation) Ordinance (Resolution) No. @ 35-70
on the 12 th day of huy , 196 70.
ATTEST: (SEAL)
Just & Bonahoon Jergal Alton
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
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tessel of Driedhorn
Approved and signed by me this /3 th day of, 1970
at the hour of 9:03 o'clock A.M., E.S.T.
Harold S. Zeis
/~ Mayor

Read the first time in full and on motion by ______ seconded by



Bill No. <u>G-70-04-16</u>	
REPORT OF THE COM	AITTEE ON REGULATIONS
We, your Committee on Regulations	to whom was referred an Ordinance
creating a Metropolitan Human Relations Com	mission defining its powers and purposes,
prohibiting discrimination in public accomm	odations and housing: providing for
certain exemptions: providing for penaltie	s and repealing special ordinance
No. 2593,	
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have had said Ordinance under consideration ar	nd beg leave to report backy to the Common
Council that said Ordinance PASS	at amengled
JACK K. DUNIFON, Chairman	factor units
EDWIN J. ROUSSEAU, Vice-Chairman	(fleral famean)
THOMAS G. ADAMS	Illiduas & Golaus
WILLIAM K. GEAKE	Will Sagle
PHIL A. STEIGERWALD	Mill Sugarile
	CONCURRED IX

BILL NO. G-70-04-/6

GENERAL ORDINANCE NO. G-

AN ORDINANCE CREATING A METROPOLITAN HUMAN RELATIONS COMMISSION DEFINING ITS POWERS AND PURPOSES, PROHIBITING DISCRIMINATION IN PUBLIC ACCOMMODATIONS AND HOUSING; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR PENALTIES AND REPEALING SPECIAL ORDINANCE NO. 2593.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

ARTICLE I. - PURPOSES

SECTION 1. The Mayor and the Common Council of the City of Fort Wayne, Indiana, find that discrimination in social, cultural and economic life in the City of Fort Wayne against any person or persons because of race, color, religion, ancestry, national origin, or place of birth, is contrary to American principles and is harmful to the social, cultural, and economic life of Fort Wayne; that discrimination, particularly in employment opportunities, public accommodations, and housing, increases the burden and cost of government. That such discrimination contributes to increased crime, vice, juvenile delinquency, fires and other evils thereby affecting the public safety, the public health and the general welfare of the community; it is, therefore, deemed to be in the best interests of the City of Fort Wayne to create a metropolitan commission to administer and enforce anti-discrimination legislation and ordinances, all as authorized by the Indiana Civil Rights Act.

ARTICLE II. - DEFINITIONS

SECTION 2. As used in this Ordinance, unless a different meaning clearly appears from the context,

(a) The term "discrimination" means any difference in

treatment based on race, color, religion, ancestry, national origin, or place of birth, and includes segregation, except that it shall not be discrimination for any religious or denominational institution to devote its facilities exclusively or primarily to or for members of its own religion or denomination, or to give preference to members of such institution to promote the religious principles for which its is established or maintained. The term "discrimination" shall mean the exclusion of a person from or failure or refusal to extend to a person equal opportunities because of race, creed, color, national origin or ancestry, or the promotion of race segregation or separation, in any manner, including but not limited to the inducing of or the attempting to induce for a profit any person, to sell or rent any dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, or national origin.

- (b) The term "person" includes an association, partnership, or corporation, as well as a natural person. The term "person", as applied to partnerships or other associations, includes their members, and as applied to corporations, includes their officers and directors. The term "person" also includes any individual acting in a fiduciary or representative capacity, whether appointed by a court or otherwise.
- (c) The term "owner" includes the lessee, sub-lessee, assignee or managing agent or other persons having the right of Ownership or possession or the right to sell, rent, or lease any housing accommodation.
 - (d) The term "financial institution" means any person as

defined herein regularly engaged in the business of lending money or guaranteeing loans.

- (e) The term "real estate broker" means any person as defined herein, who, for a fee or other valuable consideration, sells, purchases, exchanges, or rents or negotiates or offers or attempts to make or negotiate the sale, purchase, exchange or rental of the real property of another, or holds himself out as engaged in the business of selling, purchasing, exchanging, or renting the real estate of another, or collects rental for the use of real property of another.
- (f) The term "real estate salesman or agent" means any person employed by a real estate broker to perform or to assist in the performance of any or all of the functions of a real estate broker, except that it shall not include secretarial or clerical employees.
- (g) The term "housing accommodation" means any parcel or parcels of real estate or lots, whether or not contiguous in the City of Fort Wayne available for the building of one or more housing units, owned or otherwise subject to the control of one or more owners, or to any single family dwelling or multiple family dwelling, or portion thereof which is used or occupied or intended or arranged or designed to be used or occupied as a home, homesite, residence, or sleeping place of one or more human beings located in the City of Fort Wayne.
- (h) The Indiana Civil Rights Act is Acts of 1961, Chapter 208, as amended by Chapter 173 of Acts of 1963, Chapter 214 of Acts of 1965, Chapter 276 of the Acts of 1967, and Chapter 298 of the Acts of 1969, and any subsequent amendments thereto, deletions

or additions thereto now or hereinafter enacted by the General Assembly of the State of Indiana.

(i) The State Commission means the Civil Rights Commission created and existing under the Indiana Civil Rights Act as above defined.

ARTICLE III. - THE COMMISSION

SECTION 1. To assist in the elimination of discrimination in the City of Fort Wayne, there is hereby created a commission to be known as the Metropolitan Human Relations Commission.

SECTION 2. The Commission Shall Consist of Nine Members:

- (a) One to be elected by the Common Council from among its members at the annual meeting for the election of officers of the council; the member who shall be a member of the council shall be elected annually for a one-year term; provided, that in the year of the enactment of this Ordinance, the council shall, prior to the effective date of this Ordinance, elect one of its members to serve until the next annual meeting of the council and until his successor is duly elected and qualified.
- (b) The other eight members shall be appointed by the Mayor of the City of Fort Wayne to serve without compensation;
- (c) Of the members to be appointed by the Mayor, two shall be appointed to serve for a term of one year; three shall be appointed for a term of two years; and three shall be appointed for a term of three years; provided, that appointments for all terms after the terms of the original appointment shall be for a term of three years.

SECTION 3. Qualification of Members: All members shall be

residents of the City of Fort Wayne.

SECTION 4. Officers:

- (a) At the first meeting of the Commission, which shall be called by the Mayor, the Commissioners shall elect one of their number to serve as chairman, and shall also elect such other officers as the Commission shall desire from among their members.
- (b) The Commission may select an executive director who shall also serve as secretary who shall not be required to meet the qualifications for membership on the Commission, and who may be compensated for his services, and such other employees as may be authorized.
- (c) Death, disability or resignation of a member. In the event of a death, disability, or resignation of any member, his successor shall be appointed by the one who appointed such member and the newly appointed member shall serve for the unexpired period of the term of the one replaced.
- (d) The Mayor shall have the right to replace any member of the Commission or any employee at any time, except the council representative.

SECTION 5. Powers and Duties. The Commission shall have the following powers and duties:

(a) To receive and investigate charges of discriminatory practice and, if it appears that reasonable grounds exist for the charges, the Commission shall accept a complaint or the director may make a complaint, which complaint shall be in writing and verified. If a complaint has been made, the Commission may hold hearings and make an investigation of the complaint, which investigation shall be conducted by the Commission or by the

director or his staff.

- (b) In holding the hearings or making investigations, the Commission may request the presence of witnesses and may request that any records or documents be brought before it for examination. In its hearings, the testimony of any person who appears shall be given under oath.
- (c) After the completion of the hearing, the Commission shall state its findings of fact, and if it finds that a person has engaged in unlawful discriminatory practice, it shall attempt a conciliation to cause the end of such practices; it may order the person charged to cease and desist from such unlawful discriminatory practice, or on failure of conciliation, or if probable cause exists, it may file an action in any court to which jurisdiction has been granted under the Indiana Civil Rights Act. It shall be deemed reasonable grounds for filing an action charging discrimination against anyone who, without just cause, refuses to appear and testify before the Commission or who refuses to make books and records available to the Commission without just cause; provided, that charges against such person are under investigation.
- (d) Failure to obey any cease and desist order entered by the Commission shall be deemed grounds for proceeding through any Court granted jurisdiction under the Indiana Civil Rights Act.
- (e) The Commission shall study and investigate any condition having an adverse effect on intergroup relations, including alleged violations of Federal, State and Local Laws heretofore or hereafter enacted prohibiting discrimination against any person

in public accommodations, employment opportunity, or housing accommodations because of race, color, religion or national origin.

- (f) To institute and conduct educational and other programs to promote the equal rights and opportunities to all persons regardless of their race, color, religion, or national origin.
- (g) To study the problems of the relationship of the various races, colors, creeds, and nationalities living within the community, and to advise with and assist Departments of the City Government on problems involving said groups living within the City to the end that an effort be made to eliminate prejudice, intolerance, bigotry and discrimination in the City of Fort Wayne. If charges are made, and there appears to be probable cause therefor, and the charges involve another employee, department or branch of the City Government; thence the Commission shall inform the employee, department or branch, in writing, before taking any formal action.
- (h) Annual Report. The Commission shall render an annual report of its doings to the Mayor and to the Common Council, and shall render such other additional reports as the Mayor or the Council may from time to time request.

ARTICLE IV. - PROHIBITED ACTS.

SECTION 1. It shall be unlawful for any person to commit any act of discrimination or engage in any discriminatory practice as herein defined.

(a) It shall be unlawful for any owner, real estate

broker, salesman, or agent to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of a dwelling to any person because of race, color, religion, or national origin; to discriminate against any person in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services, or facilities in connection therewith, because of race, color, religion, or national origin; to represent that any dwelling is not available for inspection, sale or rental, when such dwelling is in fact so available.

- (b) Owner-Occupant Exemption. An owner-occupant exemption is granted to a person who owns, rents or leases a dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other and in which the owner-occupier actually maintains and occupies one of such living quarters as his residence. To such owner-occupant is granted an exemption from charges of discriminatory practice as herein defined.
- (c) It shall be unlawful to assist or to participate with a person who is not a bona fide prospective buyer or renter in a transaction for the acquisition or financing of a housing accommodation where the purpose of such is to obtain information upon which a complaint could be filed before the Commission.

SECTION 3. Discrimination in Financing of Housing. It shall be unlawful for any person, as herein defined, whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance

to an applicant therefor, or to discriminate against such applicant in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of the race, color, religion, or national origin of such applicant.

SECTION 4. Discrimination in Employment. It shall be unlawful to discriminate against any person by excluding from or failing or refusing to extend to a person equal opportunities in securing employment or in advancing within an employing organization after having secured employment because of race, color, religion, or national origin; provided, however, that this section shall not apply to any person as herein defin ed who employs less than six persons.

SECTION 5. Discrimination by Labor Organizations. It shall be unlawful for any labor organization to deny full and equal membership rights to any applicant for membership or to fail or refuse to classify properly or refer for employment any member solely because of race, color, religion or national origin.

SECTION 6. Discrimination in Public Accommodations. It shall be unlawful for any person or establishment which caters or offers its services or facilities or goods to the general public to discriminate against anyone because of race, color, religion, or national origin.

ARTICLE V. - PENALTIES

SECTION 1. Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be fined in the sum not to exceed Five Hundred Dollars (\$500.00). Each day of violation shall be deemed a separate offense.

ARTICLE VI. - REPEAL

Special Ordinance No. 2593 of the Ordinances of the City of Fort Wayne creating the Mayor's Commission on Human Relations is hereby repealed on the effective date of this Act.

ARTICLE VII. - EFFECTIVE DATE

The effective date of this Ordinance shall be July 1, 1970.

July Strymils Sen Hamen Mort & Lessee

APPROVED AS TO FORM AND LEGALITY,____

CIT. ATTORNEY

Read the first time in full	and on motion by	June Pour	seconded by
tegeroald.	and duly adopted, read th	he second time by ti	itle and referred
to the (Committee on)	Reg. Catino	(and	to the City Plan
Commission for recommendation) (an	,		
at the Council Chambers, City Hall	1, Fort Wayne, Indiana, o	on Thousan	
the 21st day of	april	196 <u>7.0</u> , at7	30 o'clock
P.M., E.S.T.			0
Date: 4-14-70	<i>Tur</i>	ed G. Ba	nahmm
Read the third time in full a	and on motion by	,	
seconded by	and duly	adopted, placed on	its passage.
Passed (LOST) by the following vot	te:		
AYES, NAYS	, ABSTAINED	, ABSENT	to-wit:
Adams		-	
DunifonFay		_	
Geake Nuckols			
Robinson			
RousseauSteigerwald		-	
Tipton			
Date			
		City Clerk	
Passed and adopted by the Com (Zoning Map)(General)(Annexation)			
on the day of	. 19	96	
ATTEST: (SEAL)	-	· · ·	
ATTEST. (SEAL)			
City Clerk		Presiding Office	r
Presented by me to the Mayor	of the City of Fort Wayn	ne, Indiana, on the	day
of, 1	196 at the hour of	o'clock	.M.,E.S.T.
	Management and areas	City Clerk	
Approved and signed by me thi	ls day of		, 196
at the hour of o'cloc	.kM.,E.S.T.		
		Mayor	

I hereby certify that the f got in regard credits, and that no part of yerse eff

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June	26, 1970 2, 1970		
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	9 1074 N	otary Public	

	Legal Notices	
	Legal Notices Delintments for all terms, offer the terms of the original appointment, shall be tor a term of four years; provided, further, that no member shall serve more than two consecutive full terms. Sec. 3. Qualification of Members; All	
	no member shall serve more than two con- secutive full terms. Sec. 3. Qualification of Members: All	
form Prescribed by State	secutive juli terms. Sec. 3. Qualification of Aumbers; All Sec. 3. Qualification of Aumbers; All Sec. 3. Qualification of Aumbers; All Fort Wayne, Not more than hive members, including the council members, ball be sec. Qualification of the council members, ball be sec. 4. Officers: Sec. 4. Officers: Sec. 4. Officers: Sec. 4. Officers: Sec. 4. Officers Sec. 4.	General Form No. 99 P (Rev. 1967)
Common Commod 1 - Cd	members of the same political party. Sec. 4. Officers: (a) At the first meeting of the Commis-	TOTRNAT -CAZETTE -
(Governmen	sion, which shall be called by the Moyor, the Commissioners shall elect one of their	To JOURNAL-GAZETTE Dr.
(40101	the when agot we colled by the determination and the colled by the determination and the colled by t	
Allen	(b) The Commission shall select an executive director who shall also serve as	FORT WAYNE, INDIANA
	secretary, who shall not be required to meet the qualifications for membership on the Commission, and who shall be com-	. CLAIM
	pensated for his services, and such other employees as may be authorized. (c) Death, disability or resignation of a	CLAIM
INE COUNT	member. In the event of a death, disabil- ity, or resignation of any member, his suc-	
MAD COUNT	appointed such member and the newly ap- pointed member shall serve for the unex- nired meriod of the term of the anex-	
Display Matter than f	(d) The Mayor sholl have the right to	her of which shall total more dy of the advertisement is set)
nun	pointed member shall serve for the unex- plied period of the term of the one re- plied period of the term of the one re- compared to the term of the one re- compared to the term of the one of the one for just couse, except the council repre- ference of the one of the one of the one of the one of the one of the one of the one sec. Sec. S. Powers and Dutles. The Commis- sec. S. Powers one Dutles. The Commis- cial term of the one of the one of the one of the orders of the one of the one of the one of the one of the one of the orders of the one of the one of the one of the one of the one of the one of the one of the one of	
Head numbe	be a just cause. Sec. 5. Powers and Duties. The Commis- sion shall have the following powers and	
'*	(a) The Commission shall meet monthly and may meet when otherwise necessory	
Body numbe	to receive and investigate charges of dis- criminatory practice; and, if it appears that reasonable grounds exist for the	- 453
	charges, the Commission shall accept a complaint or the director may make a complaint, which complaint shall be in	1
Tail numbe	writing and verified. If a complaint has been made, the Commission may hold	
Total	the comploint, which investigation shall be conducted by the Commission or by	<u>454</u>
	(b) In holding the heorings or making Investigations, the Commission may offici-	
COMPUTION OF CHARG	regions on member of the Contribution for July 2018. Consequent to could represent the country of the property	
	nation. In its hearings, the testimony of only person who appears shall be given under ooth. It shall be deemed reasonable	
454 lines,	grounds for filing an action charging dis- crimination against anyone who, without	equivalent lines at .288¢ . 130.75
cents	before the Commission or who refuses to moke books and records available to the	\$
Additional cha	Commission without just cause when offigi- lolly requested to appear and testify or ap- pear and bring books and records; pro-	ar work (50 per cent of above
umounty	vided, that the charges against such per- son are under investigation. (c) After the completion of the hearing.	
Charge for ext	the Commission shall state its findings of floct, and if it finds that a person has en-	h proof in excess of two)
	it shall attempt a conciliation to couse the end of such practices; or it may order the	. 130.75
TOTA	such unlawful discriminatory practice, or on tollure of conciliation, or if probable	\$ 120.12
	couse exists, it may tile an action in any court to which jurisdiction has been grant- ed under the Indiana Civil Rights Act. Pro-	
DATA FOR COMPUTING	vided, that no cease and desist order shall be Issued following hearing on any com- ploint tiled other than by a person al-	
	legedly discriminated against unless such person shall have personally testified at such personal Provided further than	e1
Width of single	person against whom a cease and desist order is issued may seek a judicial review	Size of type 5½ point
Number of in-	any court granted jurisdiction of appeals in the indiano Civil Rights Act, provided	Size of quad upon which type is cast5
Trumber of M.	teen (15) days of the issuance of such order.	bize of quad upon which type is cust
Pursuant to the provision	teen (15) days of the issuence of such order pollure to obey any cook and destal order entered by the Commission shall be deemed grounds for proceeding through the control of the control	
	Indiona Civil Rights Act. (e) The Commission shall study, investi-	
hereby certify that the feredits, and that no part of	in regard to any condition having an ad- verse effect on intergroup relations, includ-	t the amount claimed is legally due, after allowing all just
	Local Laws heretatore or hereofter enocted prohibiting discrimination against any per-	11 3
	son in public accommodations, employment opportunity, or housing accommodations be couse of roce, sex, color, religion, or na-	H. O wen
Date June 8,	percellating discrimination against any per- ception of the percentage of the percentage of the per- ception of the percentage of the percentage of the per- tending of the percentage of the percentage of the per- pending of the percentage of the percentage of the per- pending of the percentage of the per- rentage of the percentage of the per- pending of the percentage of the per- sentage of the percentage of the per- sentage of the percentage of the per- sentage of the percentage of the per- pending of the percentage of the per- tending of the percentage of the per- pending of the percentage of the per- pending of the percentage of the per- pending of the percentage of the per- tending of the percentage of the per- pending of the percentage of the per- pending of the percentage of the per- pending of the percentage of the per- tending of the percentage of the per- pending of the percentage of the per- tending of the percentage of the per- tending of the percentage of the per- tending of the percentage of the percentage of the per- pending of the percentage of the per- tending of the percentage of the per- tending of the percentage of the percentage of the per- tending of the percentage of the per- pending of the percentage of the percentage of the per- pending of the percentage of the percentage of the per- pending of the percentage of the percentage of the per- pending of the percentage of the per- pending of the percentage of the percentage of the per- pending of the percentage of the percentage of the per- pending of the percentage of the percentage of the percentage of the per- pending of the percentage of the percentage of the percen	TitleCLERK
Is hereby given that on the 12th	rights and opportunities to all persons re- gardless of their race, sex, color, religion, or national origin.	
Is hereby given that on the 12th loy, 1970, the Common Council of of Fort Wayne, Indiano, in a Session, did pass the following ordinance, to-vit: . G-70-04-16 (Amended)	(g) To study the problems of the re- lationship of the various races, sexes, color,	AFFIDAVIT
. G-70-04-16 (Amended) RAL ORDINANCE NO. G-85-70	community, and to advise with and assist Departments of the City Government on	82
RDINANCE CREATING A MET- TAN HUMAN RELATIONS COM- N DEFINING ITS POWERS AND SES, PROHIBITING DISCRIMI-	in the City to the end that an effort be made to eliminate prejudice, intolerance,	sefore me, a notary public in and for said county and state, the
IN PUBLIC ACCOMMODA-	bigotry, and discrimination in the City of Fort Wayne, if charges are made, and there appears to be probable cause there-	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
FOR PENALTIES AND RE- G SPECIAL ORDINANCE NO.	Fort Wayne, If charges are made, and there appears to be probable cause there- for, and the charges involve another em- playee, department or branch at the City Government, then the Commission shall in-	CLERK of the
ORDAINED BY THE COMMON OF THE CITY OF FORT	form the employee, department or bronch, in writing, before taking any formol action. (h) Annual Report, The Commission shall	AL-GAZETTE
INDIANA: E.—PURPOSES The Mover and the Car	in writing, before taking any formal action. (h) Annual Report. The Commission shall render an annual report of its doings to the Moyor and to the Common Council and shall render such other additional reports.	newspaper of general circulation printed and published
t the City of Fort Wayne, Indiana, discrimination in social, cultural	as the Mayor or the Council may from time to time request. The reports sholl de- scribe, in detail, the Investigation and	e in the city of FORT WAYNE, INDIANA
gainst any person or persons be- race, sex, color, religion, ances-	ciliation proceedings it has conducted and their outcome, the progress made, and any	resaid, and that the printed matter attached hereto is a true copy,
to American principles and is to the social, cultural, and eco-	time to time request. The reports shall de- scribe, in detail, the Investigation and con- cliation proceedings II has conducted and content of the content of the content of the lower of the elimination of discrimination. ARTICLE IV-PROHIBITED ACTS ARTICLE IV-PROHIBITED ACTS on to commit any act of discrimination or engage in any discriminatory practice as	ted in said paper for 2 time S, the dates of publication being
e of Fort Wayne: that discriming- licularly in employment opportun- dic accommodations, and housing,	Sec. 1. It shall be unlawful for any per- son to commit any act of discrimination or engage in any discriminatory practice as	Ma. 26, 1970 June 2, 1970
the burden and cost of govern- at such discrimination contributes used crime, vice, invente della-	Sec. 2. Discrimination in the Sale or	
the public safety, the public	(a) It shall be unlawful for any owner, real estate broker, salesman, or agent to return to sell or rent etter the making of	to before me this 8th day of June 1970
it is therefore, deemed to be in interests of the City of Fort	bona fide offer, or to refuse to negotiate for the sale or rental at a dwelling to any	Elith Stapleton
administer and enforce anti-dis- tion legislation and ordinances,	national origin; to discriminate against any person in the terms, conditions, or priv-	Notary Public (/
ctE II.—DEFINITIONS	perform besonds of other more designed and persons in the Berris condition, are the person in the Berris condition, are the person in the person condition, are the person in the provision of services, are the person of the per	s March 8, 1974
As used in this Ordinance, unless it meaning clearly appears from xt,	sent that any dwelling is not available for inspection, sale or rental, when such dwell-	and the same of th
rence in treatment based on race, r, religion, ancestry, national or	(b) It shall be unlawful for the Commis- sion by any of its agents, or any person,	The second control of
dace of birth, and includes segre- xcept that it shall not be discrim-	to participate in a transaction for the ac- quisition or financing of a housing accom- modation where the purpose at such is to	
to devote its tacilities exclusive- marily to or for members of its	obtain information upon which a complaint could be filed before the Commission. It shall be prime facile evidence that the prime	and the second
e to members of such institution ofe the religious principles for	vision has been violated when a Commis- sion agent or an unrelated person, other	
is established or maintained. The scrimination" shall mean the ex- t a person from or tailure or re-	er or lender seeks a housing accommode- tion for one who is physically able to rep-	
extend to a person equal appar- ecause of race, sex, creed, color, origin, or ancestry, or the	offer filed. Sec. 3. Discrimination in Financing of	
race segregation or separation,	son, as herein defined, whose business con- sists in whole or in part in the making of	
e for a profit any person, to rent any dwelling by repre-	commercial real estate loans, to deny a loan or other thanclal assistance to an applicant therefor, or to discriminate	
regarding the entry or pro- entry into the neighborhood of a	against such applicant in the tixing of the	

Form Prescribed	by State Board of Accoun	its		General	Form No. 99 I	P (Rev. 1967
Common Coun	cil-City of Ft.War	yne	То	JOURNAL-GAZI	ETTE	D
Allen	County,	Ind.		FORT WAYNE,	INDI A NA	
		PUBLISHER	'S CLAIM			
LINE COUNT						
Displa	y Matter (Must not exce than four solid lines of — number of equivalent	ed two actual lines, n the type in which the l t lines	either of which sl body of the advert	nall total more isement is set)		
Head	number of lines					
Body	number of lines				- 453	
Tail	number of lines				1	
	Total number of lines i	in notice			454	
COMPUTION OF	CHARGES					
	cents per ime	ns wide equals				, 130.
Addit amou	ional charge for notices (nt)	containing rule or tab	ular work (50 per	cent of above		
Charg	ge for extra proofs of publ	lication (50 cents for e	ach proof in exces	s of two)		
	TOTAL AMOUNT OF	CLAIM				\$ 130.
DATA FOR COM						
	PUTING COST					
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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 8, 19	70
Legals	documents be brought before it for exami-
day of May, 1970, the Common Council	th any person who appears shall be given
Regular Session, did pass the followin	g crimination against anyone who, without
GENERAL ORDINANCE NO G. 85.70	before the Commission or who refuses to
AN ORDINANCE CREATING A MET- ROPOLITAN HUMAN RELATIONS COM	Commission without just cause when offici- olly requested to appear and testify or ap-
PURPOSES, PROHIBITING DISCRIMI	vided, that the charges against such per-
TONS AND HOUSING: PROVIDING	(c) After the completion of the hearing,
VIDING FOR PENALTIES AND RE-	fact, and if it finds that a person has en-
BE IT ORDAINED BY THE COMMO	It shall attempt a conciliation to cause the end of such proctices; or it may order the
WAYNE, INDIANA:	person charged to cease and desist from such unlawful discriminatory practice, or
Sec. 1. The Mayor and the Commo	Couse exists, it may file an action in any
find that discrimination in social, culture and economic life in the City of For	ed under the Indiana Civil Rights Act. Pro- vided, that no ceose and desist order shall
Wayne against any person or persons be cause of race, sex, color, religion, ances	be issued following hearing on any com- plaint tiled other than by a person al-
contrary to American principles and i	s person shall have personally testified at
nomic life of Fort Wayne: that discriming	person against whom a cease and desist
itles, public accommodations, and housing increases the burden and cost of govern	of such order by petition therefor tiled in any court granted jurisdiction of appeals
ment. That such discrimination contribute to increased crime, vice, juvenile delin	that such petition shall be filed within fif-
offecting the public safety, the publi-	order.
munity; It is therefore, deemed to be in	order entered by the Commission shall be deemed grounds for proceeding through
Wayne to create a metropolitan commission to administer and entorce antide	any court granted wrisdiction under the
crimmination legislation and ordinances all as authorized by the Indiana Civi	gate and take action within its jurisdiction
ARTICLE II.—DEFINITIONS	verse effect on intergroup relations, includ-
a different meaning clearly appears from	Local Laws heretofore or hereafter enacted prohibiting discrimination against any ner
(a) The term "discrimination" means ony difference in treatment based on more	son in public accommodations, employment opportunity, or housing accommodations be
sex, color, religion, ancestry, national orl gin, or place of birth, and includes segre	tional origin,
ination for any religious or denominationa	ond other programs to promote the equal
ly or primorily to or tor members of its own religion or denomination, or to all	gardless of their race, sex, color, religion, or national origin.
preference to members of such institution of promote the religious principles for	(d) to study the problems of the re- lationship of the various races, sexes, color,
which it is established or maintained. The term "discrimination" shall meon the ex	Community, and to advise with and assist
fusoi to extend to a person egual oppor-	in the City to the end that an effort be
national origin, or ancestry, or the pro- motion of race segregation or separation	blootry, and discrimination in the City of
In any monner, including but not limited to the inducing of or the attempting	there appears to be probable cause there- far, and the charges involve onother em-
sell or rent any dwelling by repre-	Government, then the Commission shall in-
spective entry into the neighborhood of a person or persons of a particular race, sex	in writing, before taking ony formal action,
June 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	render an annual report of its doings to
well as a noticel person. The ferm "per-	shall render such other additional reports as the Mayor or the Council may from
as applied to corporations, includes their	scribe, in detail, the investigation and con-
officers and directors. The term "person" also includes any individual acting in a	their outcome, the progress made, and any other work performed and achievements
er appointed by a court or otherwise.	ARTICLE IV.—PROHIBITED ACTS
lessee, sub-lessee, assignee or managing agent or other persons having the right of	Sec. 1. It shall be unlawful for any per- son to commit any act of discrimination or
rent, or lease any housing accommodation.	herein defined.
means ony person as defined herein regu- larly engaged in the business of leading	Rental of Housing: (a) It shall be unlowful for any cursor
money or guaranteeing loans, (e) The term "real estate broker" means	real estate broker, salesman, or agent to refuse to sell or rent atter the making of
tee or other valuable consideration, sells,	for the sole or rental of a dwelling to any
ates or offers or offents to make or	national origin; to discriminate against ony
or rental of the real property of another, or holds himself out as engaged in the	ileges of the sale or rental of a dwelling, or in the provision of services, or tacilities
business of selling, purchasing, exchang- ing, or renting the real estate of gnother.	In connection therewith, because of race, color, religion, or national origin; to repre-
or collects rental for the use of real	inspection, sade or rental, when such dwell-
agent' means ony person employed by a	(b) It shall be unlawful for the Commis-
in the performance of any or all of the functions of a real estate broker.	to participate in a transaction for the ac- quisition or financing of a housing occum-
that it shall not include secretarial or clerical employees.	modation where the purpose of such is to obtain information upon which a complaint
(g) the ferm "housing occommodation" means ony parcel or parcels of real estate	shall be prima facile evidence that this pro-
City of Fort Wayne avoilable for the build-	sion agent or an unrelated person, other
or otherwise subject to the control of one or more owners, or to any single tently	er or lender seeks a housing accommode- tion for one who is physically able to re-
dwelling or multiple family dwelling, or portion thereof, which is used or occupied	resent himself and a complaint is there- after filed.
used or occupied as a home, homesite,	Housing, It shall be unlawful for any per-
human beings located in the City of Fort	sists in whole or in part in the making of
(h) The Indiana Civil Rights Act is the Acts of 1961, Chapter 208, as omended by	loan or other tinancial assistance to an applicant therefor, or to discriminate
214 of the Acts of 1963, Chapter 216 of the Acts of 1965, Chapter 276 of	against such applicant in the tixing of the amount, interest rate, duration, or other
Acts of 1969, and ony subsequent amend- ments thereto, deletions or additions thereto.	sex, color, religion, or notional arials
harmon beines recorde dies de lette or moce in the control of the	such applicant. Sec. 4. Discrimination in Employment.
Civil Rights Commission means the	ogainst any person by excluding from or
above defined. ARTICLE III.—THE COMMISSION	egual opportunities in securing employment
Sec. 1. To assist in the elimination of discrimination in the City of Fort Wayne.	ganization after having secured emplay- ment because of race, sex, color, reliaion.
there is hereby created a commission to be known as the Metropolitan Human Rela-	or national origin; provided, however, that this section shall not apply to any person
Sec. 2. The Commission Sholl Consist of	Sec. 5. Discrimination by Labor Ossail
(a) One to be elected by the Common Council from among its members of the	zations. It shall be unlawful for any labor organization to deny full and easily processing the control of the control organization to deny full and easily processing the control of the
onnual meeting for the election of officers of the council; the member who shall be a	bership rights to any applicant for mem- bership or to tall or refuse to classify
annually for a one-year terms arounded	ber solely because of race, color, religion,
that in the year of the enactured	
that in the year of the enactment of this Ordinance, the council shall, prior to the effective date of this Ordinance.	Sec. 6. Discrimination in Public Accom- modations. It shall be unlawful for any
Civil signine Commission recent flood east in the commission of th	comments by brought beings II for exami- more and the promises and indicated and promises and the promises and indicated and promises and indicated and indicated and comments and indicated and indicated and comments and indicated and indicated and comments and indicated and indicated and more and more and indicated and more and indicated and more

G. M. Hostman	
Title Clerk	
MFFIDAVIT	_
t:	
h	
efore me, a notary public in and for said county and state,	
. Hostman who, being duly sworn, s	
b CENT DUE	the
SENT INEL	
ii newspaper of general circulation printed and publish	aed
ti in the city of FORT WAYNE, INDIANA	
desaid, and that the printed matter attached hereto is a true co	ру,
ded in said paper for 2 time, the dates of publication be	ing
by May 26, 1970	
June 2, 1970	
M Q-m. Hostman	
o before me this 8th day of June 19	70
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